

Department of Energy

Pt. 430

projects financial assistance in the program guidance/solicitation.

(b) In addition to any other requirements, all applications shall provide:

(1) A detailed description of the proposed project, including the objectives of the project in relationship to DOE's program and the State's plan for carrying it out;

(2) A detailed budget for the entire proposed period of support, with written justification sufficient to evaluate the itemized list of costs provided on the entire project; and

(3) An implementation schedule for carrying out the project.

(c) DOE may, subsequent to receipt of an application, request additional budgetary information from a State when necessary for clarification or to make informed preaward determinations.

(d) DOE may return an application which does not include all information and documentation required by this subpart, 10 CFR part 600, or the program guidance/solicitation, when the nature of the omission precludes review of the application.

[61 FR 35895, July 8, 1996, as amended at 64 FR 46114, Aug. 24, 1999]

§ 420.34 Matching contributions or cost-sharing.

DOE may require (as set forth in the program guidance/solicitation) States to provide either:

(a) A matching contribution of at least a specified percentage of the Federal financial assistance award; or

(b) A specified share of the total cost of the project for which financial assistance is provided.

§ 420.35 Application evaluation.

(a) DOE staff at the cognizant Regional Office shall perform an initial review of all applications to ensure that the State has provided the information required by this subpart, 10 CFR part 600, and the program guidance/solicitation.

(b) DOE shall group, and technically evaluate according to program activity, all applications determined to be complete and satisfactory.

(c) DOE shall select evaluators on the basis of their professional qualifications and expertise relating to the par-

ticular program activity being evaluated.

(1) DOE anticipates that evaluators will primarily be DOE employees; but

(2) If DOE uses non-DOE evaluators, DOE shall require them to comply with all applicable DOE rules or directives concerning the use of outside evaluators.

[61 FR 35895, July 8, 1996, as amended at 64 FR 46114, Aug. 24, 1999]

§ 420.36 Evaluation criteria.

The evaluation criteria, including program activity-specific criteria, will be set forth in the program guidance/solicitation document.

§ 420.37 Selection.

(a) DOE may make selection of applications for award based on:

(1) The findings of the technical evaluations;

(2) The priorities of DOE, SEP, and the participating program offices;

(3) The availability of funds for the various special project activities; and

(4) Any program policy factors set forth in the program guidance/solicitation.

(b) The Director, Office of State and Community Programs makes the final selections of projects to be awarded financial assistance.

§ 420.38 Special projects expenditure prohibitions and limitations.

(a) Expenditures under the special projects are subject to 10 CFR part 600 and to any prohibitions and limitations required by the DOE programs that are providing the special projects funding.

(b) DOE must state any expenditure prohibitions or limitations specific to a particular category of special projects in the annual SEP special projects solicitation/guidance.

[64 FR 46114, Aug. 24, 1999]

PART 430—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS

Subpart A—General Provisions

Sec.

430.1 Purpose and scope.

430.2 Definitions.

Subpart B—Test Procedures

- 430.21 Purpose and scope.
- 430.22 Reference sources.
- 430.23 Test procedures for the measurement of energy and water consumption.
- 430.24 Units to be tested.
- 430.25 Laboratory Accreditation Program.
- 430.27 Petitions for waiver and applications for interim waiver.
- APPENDIX A1 TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF ELECTRIC REFRIGERATORS AND ELECTRIC REFRIGERATOR-FREEZERS
- APPENDIX B1 (ALTERNATIVE) TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF FREEZERS
- APPENDIX C TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF DISHWASHERS
- APPENDIX D TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF CLOTHES DRYERS
- APPENDIX E TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF WATER HEATERS
- APPENDIX F TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF ROOM AIR CONDITIONERS
- APPENDIX G TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF UNVENTED HOME HEATING EQUIPMENT
- APPENDIX H TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF TELEVISION SETS
- APPENDIX I TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF CONVENTIONAL RANGES, CONVENTIONAL COOKING TOPS, CONVENTIONAL OVENS, AND MICROWAVE OVENS
- APPENDIX J TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF AUTOMATIC AND SEMI-AUTOMATIC CLOTHES WASHERS
- APPENDIX J1 TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF AUTOMATIC AND SEMI-AUTOMATIC CLOTHES WASHERS
- APPENDIXES K–L TO SUBPART B OF PART 430 [RESERVED]
- APPENDIX M TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF CENTRAL AIR CONDITIONERS
- APPENDIX N TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF FURNACES AND BOILERS
- APPENDIX O TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE

ENERGY CONSUMPTION OF VENTED HOME HEATING EQUIPMENT

- APPENDIX P TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF POOL HEATERS
- APPENDIX Q TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE ENERGY CONSUMPTION OF FLUORESCENT LAMP BALLASTS
- APPENDIX R TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING AVERAGE LAMP EFFICACY (LE) AND COLOR RENDERING INDEX (CRI) OF ELECTRIC LAMPS
- APPENDIX S TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE WATER CONSUMPTION OF FAUCETS AND SHOWERHEADS
- APPENDIX T TO SUBPART B OF PART 430—UNIFORM TEST METHOD FOR MEASURING THE WATER CONSUMPTION OF WATER CLOSETS AND URINALS

Subpart C—Energy and Water Conservation Standards

- 430.31 Purpose and scope.
- 430.32 Energy and water conservation standards and effective dates.
- 430.33 Preemption of State regulations.
- 430.34 Energy and water conservation standards amendments.
- APPENDIX A TO SUBPART C OF PART 430—PROCEDURES, INTERPRETATIONS AND POLICIES FOR CONSIDERATION OF NEW OR REVISED ENERGY CONSERVATION STANDARDS FOR CONSUMER PRODUCTS

Subpart D—Petitions To Exempt State Regulation From Preemption; Petitions to Withdraw Exemption of State Regulation

- 430.40 Purpose and scope.
- 430.41 Prescriptions of a rule.
- 430.42 Filing requirements.
- 430.43 Notice of petition.
- 430.44 Consolidation.
- 430.45 Hearing.
- 430.46 Disposition of petitions.
- 430.47 Effective dates of final rules.
- 430.48 Request for reconsideration.
- 430.49 Finality of decision.

Subpart E—Small Business Exemptions

- 430.50 Purpose and scope.
- 430.51 Eligibility.
- 430.52 Requirements for applications.
- 430.53 Processing of applications.
- 430.54 Referral to the Attorney General.
- 430.55 Evaluation of application.
- 430.56 Decision and order.
- 430.57 Duration of temporary exemption.

Subpart F—Certification and Enforcement

- 430.60 Purpose and scope.

Department of Energy

§ 430.2

- 430.61 Prohibited acts.
- 430.62 Submission of data.
- 430.63 Sampling.
- 430.64 Imported products.
- 430.65 Exported products.
- 430.70 Enforcement.
- 430.71 Cessation of distribution of a basic model.
- 430.72 Subpoena.
- 430.73 Remedies.
- 430.74 Hearings and Appeals.
- 430.75 Confidentiality.

APPENDIX A TO SUBPART F OF PART 430—COMPLIANCE STATEMENT AND CERTIFICATION REPORT.

APPENDIX B TO SUBPART F OF PART 430—SAMPLING PLAN FOR ENFORCEMENT TESTING.

AUTHORITY: 42 U.S.C. 6291-6309; 28 U.S.C. 2461 note.

SOURCE: 42 FR 27898, June 1, 1977, unless otherwise noted.

Subpart A—General Provisions

430.1 § Purpose and scope.

This part establishes the regulations for the implementation of part B of title III (42 U.S.C. 6291-6309) of the Energy Policy and Conservation Act (Pub. L. 94-163), as amended by Pub. L. 95-619, Pub. L. 100-12, Pub. L. 100-357, and Pub. L. 102-486 which establishes an energy conservation program for consumer products other than automobiles.

[62 FR 29237, May 29, 1997]

§ 430.2 Definitions.

For purposes of this part, words shall be defined as provided for in section 321 of the Act and as follows—

Act means the Energy Policy and Conservation Act (Pub. L. 94-163), as amended by the National Energy Policy Conservation Act (Pub. L. 95-619), the National Appliance Energy Conservation Act of 1987 (Pub. L. 100-12), the National Appliance Energy Conservation Amendments of 1988 (Pub. L. 100-357), and the Energy Policy Act of 1992 (Pub. L. 102-486).

Annual fuel utilization efficiency means the efficiency descriptor for furnaces and boilers, determined using test procedures prescribed under section 323 and based on the assumption that all—

(a) Weatherized warm air furnaces or boilers are located out-of-doors;

(b) Warm air furnaces which are not weatherized are located indoors and all combustion and ventilation air is admitted through grill or ducts from the outdoors and does not communicate with air in the conditioned space;

(c) Boilers which are not weatherized are located within the heated space.

ANSI means the American National Standards Institute.

ASME means the American Society of Mechanical Engineers.

Automatic clothes washer means a class of clothes washer which has a control system which is capable of scheduling a preselected combination of operations, such as regulation of water temperature, regulation of the water fill level, and performance of wash, rinse, drain, and spin functions without the need for user intervention subsequent to the initiation of machine operation. Some models may require user intervention to initiate these different segments of the cycle after the machine has begun operation, but they do not require the user to intervene to regulate the water temperature by adjusting the external water faucet valves.

Ballast efficacy factor means the relative light output divided by the power input of a fluorescent lamp ballast, as measured under test conditions specified in ANSI Standard C82.2-1984.

Baseboard electric heater means an electric heater which is intended to be recessed in or surface mounted on walls at floor level, which is characterized by long, low physical dimensions, and which transfers heat by natural convection and/or radiation.

Basic model means all units of a given type of covered product (or class thereof) manufactured by one manufacturer and—

(1) With respect to refrigerators and refrigerator-freezers, which have the same primary energy source, which have electrical characteristics that are essentially identical, and which do not have any differing physical or functional characteristics that affect energy consumption.

(2) With respect to freezers, which have the same primary energy source, which have electrical characteristics that are essentially identical, and